

**FRUITLAND PARK CITY COMMISSION REGULAR
MEETING MINUTES
May 14, 2020**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, May 14, 2020 at 6:00 p.m.

Members Present: Mayor Chris Cheshire, Vice Mayor John L. Gunter, Jr., Commissioners Christopher Bell, Patrick DeGrave and John Mobilian.

Also Present: City Manager Gary La Venia; City Attorney Anita Geraci-Carver; City Treasurer Jeannine Racine; Police Chief Erik Luce, Interim Fire Chief Donald Gilpin; Deputy Fire Chief Tim Yoder, Fire Department, and City Clerk Esther B. Coulson.

1. CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

ACTION: 6:00:00 PM Mayor Cheshire called the meeting to order, Interim Police Chief Luce gave the invocation, and Vice Mayor Gunter led in the Pledge of Allegiance to the flag.

2. ROLL CALL

ACTION: 6:01:06 PM At Mayor Cheshire's request, Ms. Coulson called the roll and a quorum was declared present.

3. PROCLAMATION - *Teachers' Appreciation Week* – May 4 to 8, 2020

At Mayor Cheshire's request, Commissioner Bell pointed out the Fruitland Park Elementary Teacher Appreciation video presentation extended by the community accessible under: <https://vimeo.com/414629668>. Additionally, he relayed the text message, received earlier this day from Heritage Community Church Pastor Sid Brock where, on behalf of Operation Bless Fruitland Park, "Fruitland Park Bucks" (monetary gift coupons and financial stimulus) were donated in honor of the teachers and faculty staff as well as the local restaurant establishments who were participants and recipients of same.

ACTION: 6:02:01 PM Mayor Cheshire recognized, on behalf of the city commission, *Teachers' Appreciation Week* that was declared on May 4 to 8, 202. He acknowledged that the proclamation was previously submitted where gratitude was expressed to the community; local leaders joined together and continued to support the teachers during this global pandemic, and everyone was encouraged to celebrate the teachers with rewarding plans and ideas throughout the year.

4. CONSENT AGENDA

Approval of Minutes

April 16, 2020 special meeting minutes

ACTION: 6:06:54 PM On motion of Commissioner Mobilian, seconded by Commissioner DeGrave and unanimously carried, the city commission approved the consent agenda.

5. REGULAR AGENDA

(a) City of Fruitland Park History Discussion

Ms. Coulson recognized the City of Fruitland Park's 200th year existence and 100th year incorporation and recalled the city commission's previous discussions on the creation of an events committee.

After discussion, Mayor Cheshire noted the establishment of an events committee in advance of recognizing the city's history; referred to the 100 ideas and suggested that Mses. JoAnn Glendinning, Library Director, and Michelle Yoder, Parks and Recreation Director, ought to be involved. (A copy of the 100 ideas is filed with the supplemental papers to the minutes of this meeting.)

ACTION: 6:04:07 PM After further discussion and by unanimous consent, the city commission authorized the library director to advertise at the library the recruitment of interested individuals for the conception of a committee to plan for the city's 100th Year Centennial and approved setting aside in the FY 2020-21 budget the allocation of \$5,000 towards a Centennial Fund Event each year up to FY 2024-25.

(b) MuniTemps Agreement Discussion

MuniTemps agreement discussion. (Postponed from the April 16, 2020 special meeting.)

ACTION: 6:09:56 PM After discussion and by unanimous consent, the city commission directed the city manager to review the deputy city clerk's compensation; advertise the position to include the wage of \$20 to \$25 per hour, and not pursue an agreement with Government Staffing Services Inc. (dba MuniTemps).

(c) Storm Debris Collection Discussion – Resolution 2020-024

The city commission considered the annual notice on the City of Fruitland Park's plans regarding the collection of storm debris from the streets or rights-of-way within the city's limits and jurisdiction in The Villages Community Development District 11 according to the August 21, 2018 interlocal agreement with Lake County and the adoption or denial of the following Resolution 2020-024, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ELECTING TO UTILIZE LAKE COUNTY FOR COLLECTION OF STORM DEBRIS PURSUANT TO THE TERMS OF THE INTERLOCAL AGREEMENT BETWEEN LAKE COUNTY, FLORIDA AND

THE CITY OF FRUITLAND PARK, FLORIDA FOR COLLECTION OF STORM DEBRIS FROM STREETS AND RIGHT OF WAY; PROVIDING DIRECTIONS TO THE CITY MANAGER; PROVIDING FOR AN EFFECTIVE DATE.

After Mr. La Venia outlined the cost-effectiveness and efficiencies of the city utilizing such collection; he mentioned the city's current burn-site with the permit being worked on by the fire department.

ACTION: 6:14:10 PM After further discussion and **by unanimous consent, the city commission denied the adoption of Resolution 2020-024 as previously cited.**

(d) Resolution 2020-017 – Gardenia Park Swimming Pool Agreement – Leesburg Aquatics Club Inc.

Ms. Geraci-Carver read into the record the following title of proposed Resolution 2020-017:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE AGREEMENT BETWEEN LEESBURG AQUATICS CLUB, INC., AND THE CITY OF FRUITLAND PARK FOR USE OF GARDENIA PARK SWIMMING POOL; PROVIDING FOR AN EFFECTIVE DATE.

ACTION: 6:19:04 PM After discussion, **a motion was made by Commissioner DeGrave and seconded by Commissioner Bell that the city commission adopt Resolution 2020-017 as previously cited.**

Mayor Cheshire called for a roll call vote on the motion and declared it carried unanimously.

(e) Resolution 2020-020 – Swimming Pool Exercise Classes - Infinity Fitness Inc. Agreement

Ms. Geraci-Carver read into the record the following title of proposed Resolution 2020-020:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE AGREEMENT BETWEEN INFINITY FITNESS AND SPA, INC. AND THE CITY OF FRUITLAND PARK FOR USE OF CITY SWIMMING POOL FOR EXERCISE CLASSES; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE.

ACTION: 6:21:12 PM After discussion, a motion was made by Commissioner DeGrave and seconded by Commissioner Bell that the city commission adopt Resolution 2020-020 as previously cited.

Mayor Cheshire called for a roll call vote on the motion and declared it carried unanimously.

(f) Resolution 2020-019 - ATS Environmental Services Inc. – Water Utilities Operation Maintenance

Ms. Geraci-Carver read into the record the following title of proposed Resolution 2020-019:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE OPERATING AGREEMENT BETWEEN AT ENVIRONMENTAL SERVICES INC. AND THE CITY OF FRUITLAND PARK FOR OPERATION AND MAINTENANCE OF THE CITY'S WATER UTILITIES; PROVIDING FOR AN EFFECTIVE DATE.

ACTION: 6:23:05 PM After much discussion, and by unanimous consent, the city commission amended AT Environmental Services Inc.'s Operating Agreement to include the workers' compensation provision and change the cancellation of services clause deleting a thirty (30) day notice to a sixty (60) day notice from either party.

A motion was made by Commissioner DeGrave and seconded by Commissioner Bell that the city commission adopt previously cited Resolution 2020-019 as amended.

Mayor Cheshire called for a roll call vote on the motion and declared it carried unanimously.

(g) Resolution 2020-021 – SRO Agreement – Officer Program 2020/21

Ms. Geraci-Carver read into the record the following title of proposed Resolution 2020-021:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ADOPTING THE AGREEMENT BETWEEN THE SCHOOL BOARD OF LAKE COUNTY, FLORIDA AND THE CITY OF FRUITLAND PARK, FLORIDA FOR THE SCHOOL RESOURCE OFFICER PROGRAM 2020/2021; PROVIDING FOR AN EFFECTIVE DATE.

ACTION: 6:31:47 PM After much discussion and by **unanimous consent, the city commission agreed to the change shown under Section 2., Compensation from the agreement with Lake County School Board for the School Resource Officer Program and the first whereas clause under Resolution 2020-021 to read: “\$55,314”.**

After discussion and **on motion of Commissioner Mobilian and seconded by Commissioner DeGrave, that the city commission adopt the previously cited Resolution 2020-021 as amended.**

Mayor Cheshire called for a roll call vote on the motion and declared it carried unanimously.

(h) Resolution 2020-023 - CDBG Program FY 2020/21–2023/24 – Lake County Urban County Partnership Agreement

Ms. Geraci-Carver read into the record the following title of proposed Resolution 2020-023:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ADOPTING THE URBAN COUNTY COOPERATION AGREEMENT BETWEEN LAKE COUNTY AND THE CITY OF FRUITLAND PARK TO PARTICIPATE IN THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM: FEDERAL FISCAL YEARS 2021, 2022 AND 2023; PROVIDING FOR AN EFFECTIVE DATE.

After Mr. La Venia described the CDBG program and the procedures involved and recommended that the city commission adopt the aforementioned agreement, Vice Mayor Gunter requested that he identify the small projects in which to utilize the funds.

ACTION: 6:35:52 PM and 6:50:40 PM After extensive discussions, **a motion was made by Commissioner DeGrave and seconded by Commissioner Mobilian that the city commission adopt Resolution 2020-023 as previously cited.**

Mayor Cheshire called for a roll call vote on the motion with the city commission members voting as follows:

Commissioner Bell	No
Commissioner Mobilian	Yes
Vice Mayor Gunter	No
Commissioner DeGrave	Yes
Mayor Cheshire	Yes

Mayor Cheshire declared the motion carried with a three (3) to two (2) vote.

On motion of Commissioner Bell, seconded by Commissioner Gunter and unanimously carried, the city commission accepted the city manager's recommendation to direct the city attorney to prepare a request for qualifications for a grant writer to seek federal, state and local (administrative) grants and advertise same with the Florida League of Cities Inc. and appropriate trade journals.

(i) Resolution 2020-022 – Stormwater Grant Program Agreement – Mirror Lake LCWA

Ms. Geraci-Carver read into the record the following title of proposed Resolution 2020-022:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ACCEPTING THE STORMWATER GRANT IN THE AMOUNT OF \$400,000.00 AWARDED BY THE LAKE COUNTY WATER AUTHORITY; APPROVING THE LAKE COUNTY WATER AUTHORITY STORMWATER GRANT PROGRAM AGREEMENT TO FUND CITY OF FRUITLAND PARK MIRROR LAKE NUTRIENT SEPARATING BAFFLE BOX CONSTRUCTION; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; DIRECTING THE CITY MANAGER TO MEET ALL ADMINISTRATIVE REQUIREMENTS; PROVIDING FOR AN EFFECTIVE DATE.

ACTION: 6:53:31 PM After discussion, a motion was made by Commissioner DeGrave and seconded by Commissioner Mobilian that the city commission adopt Resolution 2020-022 as previously cited and directed the city manager to report back with more information in writing on maintenance requirements of the Nutrient Separating Baffle Box® construction. (Anticipated date of project completion September 30, 2021.)

After further discussion, Mayor Cheshire called for a roll call vote on the motion and declared it carried unanimously.

(j) Professional Design Services RFQ - Public Works Department and Public Safety Buildings Construction Status Update

Public works department and public safety buildings construction professional design services request for proposals status update report.

After Mr. La Venia recalled the city commission's previous discussions on the subject issue; he suggested that authorization be given to the city attorney to proceed revising the Professional Design Services Request for Qualifications (RFQ) for the Public Works Department (with a slab and office space) and Public

Safety Buildings construction and after inviting the architect to design same, commence with the process to seek proposals for the subject buildings.

ACTION: 7:00:33 PM After discussion and **by unanimous consent, the city commission accepted the city manager's suggestion.**

6. OFFICERS' REPORTS

(a) City Manager

i. Economic Development Status Update

With respect to economic development, Mr. La Venia stated that he has no updates at this time.

ACTION: 7:03:52 PM No action was taken.

ii. COVID-19 Status Update

Mr. La Venia gave a status update report on the Coronavirus Disease 19 (COVID-19) and "Phase 1: Safe, Smart, Step-by-Step Plan for Florida's Recovery (Office of the Governor Executive Order Number 20-112); a copy of which is filed with the supplemental papers to the minutes of this meeting. .

Mr. La Venia outlined the city's plans to mitigate the spread of COVID-19, by allowing users alternate means of paying their bills and retrofitting city hall and other public buildings, with the exception of the recreational facilities and organized sports programs which he is leaving to the discretion of the city commission. He addressed the goal to open city hall to the public on June 1, 2020; noted that the current operations are working efficiently and addressed his intent to prepare a memorandum by May 18, 2020 to the city commission and staff in that regard.

ACTION: 7:04:08 PM. The city commission had no objections to the city manager's request.

iii. LDRs Status Update

Mr. La Venia addressed his intent to address with Mr. Greg Beliveau, LPG Urban Planners Inc. (consultants retained by the city), holding a city commission and planning and zoning board joint workshop on the remaining land development regulations after June 2020.

ACTION: 7:18:27 PM. **By unanimous consent, the city commission approved cancelling its regular meeting scheduled for May 28, 2020.**

(b) City Attorney –

i. Notice of Claim – James Hartson

Ms. Geraci-Carver explained that no lawsuit was received on James Hartson's notice of claim; recognized that the statute of limitations has since expired and indicated that said matter would no longer appear on future city commission meeting agenda.

ACTION: 7:20:13 PM. No action was necessary.

ii. City of Fruitland Park v. T. D. Burke

Ms. Geraci-Carver reported that T. D. Burke previously filed a motion for a summary judgement where, if he prevails as a matter of law, the development agreement is not specific enough and does not meet the requirements of a valid contract which will be heard on June 11, 2020 by the judge.

ACTION: 7:20:25 PM. No action was necessary.

iii. City of Fruitland Park v. State of Florida – Department of Management Services

Ms. Geraci-Carver referred to previous discussions relating to the Florida Retirement System State of Florida Department of Management Services where a scheduled hearing was cancelled and that a new date has not yet been established.

ACTION: 7:21:16 PM. No action was necessary.

iv. Michael and Laurie Fewless v. City of Fruitland Park, Lake County Case No. 2020-CA-000104

Ms. Geraci-Carver reported that no hearing has been set for. Michael and Laurie Fewless, Lake County Case No. 2020-CA-000104 and noted the intent to proceed to move the motion forward, once communication is received from the attorney retained by the city.

ACTION: 7:20:53 PM. No action was necessary.

7. PUBLIC COMMENTS

ACTION: 7:22:50 PM. There were no comments from the public.

8. COMMISSIONERS' COMMENTS

(a) Commissioner Mobilian

i. LS~MPO

Commissioner Mobilian indicated that he has not received any updates from Lake~Sumter Metropolitan Planning Organization (LS~MPO).

ACTION: 7:23:02 PM No action was taken.

ii. Public Works – Conservation Trail

Commissioner Mobilian expressed his gratitude and commended Public Works Director Robb Dicus and staff for repairing, earlier this day, the cave-in on Conservation Trail.

ACTION: 7:23:02 PM. For informational purposes.

(b) Commissioner DeGrave – Appreciation to Staff

Commissioner DeGrave gave credit and extended congratulations to Mr. La Venia and the city staff for their patience and assistance throughout the COVID-19 pandemic

ACTION 7:23:44 PM. No action was taken.

(c) Commissioner Bell

i. Appreciation to Staff

Commissioner Bell concurred with Commissioner DeGrave's comments regarding staff's performance and the opportunity to make improvements to city hall.

ACTION: 7:24:04 PM. No action was taken.

ii. Lake County Parks and Trails Advisory Board

Commissioner Bell recognized that the Parks and Trails Advisory Board has been cancelled.

ACTION: 7:24:25 PM. No action was taken.

iii. Tourist Development Council

Commissioner Bell noted that the TDC will be holding a virtual meeting scheduled for Thursday, May 21, 2020 by Zoom video conferencing and addressed the implications to the hotel/motel industry.

ACTION: 7:24:32 PM. No action was taken.

iv. League of Cities

After Commissioner Bell mentioned the cancellation of the August 2020 Lake County League of Cities' meetings, Mr. La Venia explained that there have been no reports from the Florida League of Cities regarding its annual conference.

ACTION: 7:26:09 AM. No action was taken.

(d) Vice Mayor Gunter, Jr.

Vice Mayor Gunter stated that he has no report at this time.

ACTION: 7:26:48 PM. No action was taken.

8. MAYOR'S COMMENTS

(a) Florida Medical Industries - Thermometer

In response to Mayor Cheshire's inquiry, Mr. La Venia gave a status update on the Florida Medical Industries' property located on 3131 US Highway 27/441.

ACTION: 7:22:06 PM No action was taken.

(b) Appreciation to Staff

Mayor Cheshire voiced his concurrence with earlier comments from Commissioners DeGrave and Bell regarding staff's performance.

ACTION: 7:26:48 PM No action was taken.

(c) LS~MPO

With reference to Commissioner Mobilian's remarks regarding LS~MPO and upon Mayor Cheshire's request, Mr. La Venia confirmed in the affirmative on his intent to communicate with District 12 Senator Dennis Baxley and District 33 State Representative Brett Thomas Hage regarding the status of FY 2020-21 Legislative Funding Initiative towards the completion of the CR 466A Phase 3 Roadway Improvement Project and the proposed construction of the new wastewater connection line.

ACTION: 7:26:57 PM. No action was taken.

(d) Dates to Remember

Mayor Cheshire announced the following dates:

- May 25, 2020, Memorial Day Observed, City Offices Closed
- May 28, 2020, City Commission Meeting Regular at 6:00 p.m. – cancelled
- June 11, 2020, City Commission Meeting Regular at 6:00 p.m., and
- June 25, 2020, City Commission Meeting Regular at 6:00 p.m.

ACTION: 7:30:13 PM. No action was taken.

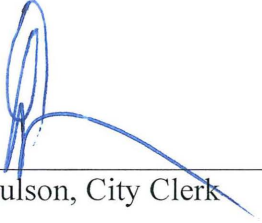
10. ADJOURNMENT

There being no further business to come before the city commission, the meeting adjourned at 7:30 p.m.

The minutes were approved at the June 11, 2020 regular meeting.

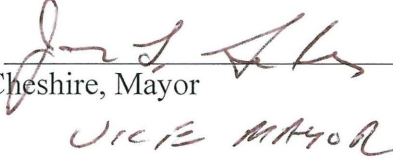
Signed _____

Esther B. Coulson, City Clerk



Signed _____

Chris Cheshire, Mayor



CHRIS CHESHIRE